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Indian Majority act, 1875 — (upto 1-V-06).

Subj. — Law and Legislation / Acts / Modified acts / Indian Majority act, 1875.

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ACT No. IX OF 1875.[1]

[*2nd March, 1875.*]

An Act to amend the Law respecting the age of majority.

[As modified up to 1st May, 1906.]

WHEREAS, in the case of persons domiciled in British India, it is expedient to prolong the period of nonage, and to attain more uniformity and certainty respecting the age of majority than now exists; It is hereby enacted as follows:— Preamble.

1. This Act may be called The Indian Majority Act, 1875: Short title.

It extends to the whole of British India, and, so far as regards subjects of Her Majesty, to the dominions of Princes and States in India in alliance with Her Majesty; Local extent.

and

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[1] For the Statement of Objects and Reasons, *see* Gazette of India, 1874, Pt. V, p. 153; for Proceedings in Council, *see ibid*, Supplement, p. 668, and Extra Supplement, dated 12th May, 1874, p. 4, and *ibid*, 1875, Supplement, p. 333.

This Act has been declared, by notification under s. 3(*a*) of the Scheduled Districts Act, 1874 (XIV of 1874), General Acts, Vol. II, to be in force in the following Scheduled Districts, namely:—

The Districts of Hazáribágh, Lohárdaga [now called the Ranchi District *see* Calcutta Gazette, 1899, Pt. I, p. 44], and Mánbhum, and Pargana Dhálbhum and the Kolhán in the District of Singbhum [The Lohárdaga District included at this time the present District of Palamau, which was separated in 1894] . .	*See* Gazette of India, 1881, Pt I, p. 504
The Tarai of the Province of Agra (then the N. W. P.)	*See* Gazette of India, 1876, Pt. I, p. 505.

It has been extended, by notification under s. 5 of the same Act, to British Baluchistan, *see* Gazette of India, 1897, Pt. II, p. 60.

It has been declared in force in—

Upper Burma generally (except the Shan States) *see* the First Schedule to the Burma Laws Act, 1898 (XIII of 1898), Burma Code, Ed. 1898, and

the Arakan Hill District by the Arakan Hill District Laws Regulation, 1874 (IX of 1874), s. 3, as amended by the Lower Burma Courts Act, 1889 (XI of 1889), s. 102, *ibid*, p. 307.

[*Price two annas.*]

Commencement and operation.

and it shall come into force and have effect only on the expiration of three months from the passing thereof.

Savings.

2. Nothing herein contained shall affect—

(*a*) the capacity of any person to act in the following matters (namely),—Marriage, Dower, Divorce, and Adoption;

(*b*) the religion or religious rites and usages of any class of Her Majesty's subjects in India; or

(*c*) the capacity of any person who before this Act comes into force has attained majority under the law applicable to him.

Age of majority of persons domiciled in British India.

3. Subject as aforesaid [1] [every minor of whose person or property or both, a guardian, other than a guardian for a suit within the meaning of Chapter XXXI of the [2] Code of Civil Procedure, has been or shall be appointed or declared by any Court of Justice before the minor has attained the age of eighteen years, and every minor of whose property the superintendence has been or shall be assumed by any Court of Wards before the minor has attained that age] shall, notwithstanding anything contained in the Indian Succession Act (No. X of 1865) [3] or in any other enactment, be deemed to have attained his majority when he shall have completed his age of twenty-one years and not before:

XIV of 1882.

X of 1865.

Subject as aforesaid, every other person domiciled in British India shall be deemed to have attained his majority when he shall have completed his age of eighteen years and not before.

Age of majority how computed.

4. In computing the age of any person, the day on which he was born is to be included as a whole day, and he shall be deemed to have attained majority, if

[1] These words were substituted for the words "every minor of whose person or property a guardian has been or shall be appointed by any Court of Justice, and every minor under the jurisdiction of any Court of Wards" by the Guardian and Wards Act, 1890 (VIII of 1890), s. 52, General Acts, Vol. V.

[2] *See* now the revised edition as modified up to 1st December, 1899.

[3] General Acts, Vol. I.

if he falls within the first paragraph of section three, at the beginning of the twenty-first anniversary of that day, and if he falls within the second paragraph of section three, at the beginning of the eighteenth anniversary of that day.

Illustrations.

(*a*) Z is born in British India on the first day of January, 1850, and has a British Indian domicile. A guardian of his person is appointed by a Court of Justice. Z attains majority at the first moment of the first day of January, 1871.

(*b*) Z is born in British India on the twenty-ninth day of February, 1852, and has a British Indian domicile. A guardian of his property is appointed by a Court of Justice. Z attains majority at the first moment of the twenty-eighth day of February, 1873.

(*c*) Z is born on the first day of January, 1850. He acquires a domicile in British India. No guardian is appointed of his person or property by any Court of Justice, nor is he under the jurisdiction of any Court of Wards. Z attains majority at the first moment of the first day of January, 1868.

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